

JAMES C. STURDEVANT (SBN 94551)
(jsturdevant@sturdevantlaw.com)
THE STURDEVANT LAW FIRM
A Professional Corporation
354 Pine Street, Fourth Floor
San Francisco, California 94104
Telephone: (415) 477-2410
Facsimile: (415) 477-2420

WHITNEY STARK (SBN 234863)
(whitneystark@rhdtdlaw.com)
RUKIN HYLAND DORIA & TINDALL LLP
100 Pine Street, Suite 2150
San Francisco, California 94111
Telephone: (415) 421-1800
Facsimile: (415) 421-1700

ARTHUR D. LEVY (SBN 95659)
(arthur@yesquire.com)
LAW OFFICE OF ARTHUR D. LEVY
445 Bush Street, Sixth Floor
San Francisco, California 94108
Telephone: (415) 702-4550
Facsimile: (415) 814-4080

Attorneys for Plaintiffs and Counterdefendants
Krista O'Donovan, Eduardo de la Torre,
and Lori Saysourivong

BRAD W. SEILING (SBN 143515)
(bseiling@manatt.com)
NOEL S. COHEN (SBN 219645)
(ncohen@manatt.com)
LYDIA M. MENDOZA (SBN 247916)
(lmendoza@manatt.com)
Manatt, Phelps & Phillips, LLP
11355 West Olympic Boulevard
Los Angeles, California 90064-1614
Telephone: (310) 312-4000
Facsimile: (310) 312-4224

Attorneys for Defendant and Counterclaimant
CashCall, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KRISTA O'DONOVAN, EDUARDO DE
LA TORRE, and LORI SAYSOURIVING,
individually and on behalf of all others
similarly situated,

Plaintiff,

vs.

CASHCALL, INC., a California corporation,
and DOES 1 through DOE 50, inclusive,

Defendants.

Case No. C 08-03174 MEJ

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE AND ADR COMPLIANCE
DATE

CMC Date: Jan. 19, 2012
Time: 10:00 a.m.

1 The parties, through their respective counsel, stipulate and jointly request the Court to
2 order as follows with respect to the following facts:

3 FACTS

4 1. On November 15, 2011, the Court issued its Order Granting in Part and Denying
5 in Part Plaintiffs' Motion for Class Certification.

6 2. On November 28, 2011, CashCall filed a Petition with the Ninth Circuit Court of
7 Appeals for permission to appeal the Order pursuant to Federal Rule 23(f). Plaintiffs have
8 opposed the petition. The Ninth Circuit has not yet ruled on the petition.

9 3. A Case Management Conference is scheduled for 10:00 a.m. on January 19, 2012,
10 with a Joint Case Management Conference Statement due to be filed by January 5, 2012.

11 4. The deadline for completing mediation in this case under the Court's Mandatory
12 ADR Program is January 13, 2012.

13 5. The parties have met and conferred regarding case management and notice issues
14 in anticipation of the Case Management Conference set for January 19, 2012.

15 6. To enable the parties to more fully and productively meet and confer on case
16 management and notice issues, the parties believe it is advisable to continue the Case
17 Management Conference for four weeks. This continuance will enable the parties to exchange
18 information and views and engage in a more meaningful meet and confer process before
19 preparing the Joint Case Management Conference Statement, particularly in light of the
20 impending holiday breaks.

21 7. The parties also believe it is advisable to continue the date for completing
22 mediation under the Mandatory ADR program in light of claims certified by the Court, the
23 pending Rule 23(f) petition, and CashCall's anticipated motion for summary judgment. Counsel
24 have conferred with the mediator, Mr. Sharp, who agrees with this request.

25 8. The parties therefore stipulate as follows and request the parties to so order:

26 STIPULATION

27 1. The Case Management Conference set for 10:00 a.m. on January 19, 2012 shall be
28 continued for our weeks until ~~3:00 p.m.~~ 10:00 a.m. on February 16, 2012.

2. The Joint Case Management Conference Statement due to be filed by January 5, 2012 shall be filed no later than February 2, 2012.

3. The date for completing the mediation under the Court ADR Program is vacated and shall be reconsidered at the Case Management Conference.

Dated: December 22, 2011

/s/ Arthur D. Levy

Attorneys for Plaintiffs and Counterdefendants
Krista O'Donovan, Eduardo de la Torre, and Lori Saysourivong

Dated: December 22, 2011

/s/ Brad W. Seiling

Attorneys for Defendant and Counterclaimant
CashCall, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: ~~December~~ 1/3/12, 2011


HONORABLE MARIA-ELENA JAMES
United States District/Magistrate Judge

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